



General Assembly

February Session, 2014

***Raised Bill No. 5340***

LCO No. 1663



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING THE LIABILITY OF A LANDOWNER WHO PERMITS MAPLE-SUGARING ACTIVITIES ON THE LAND.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 52-557k of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2014*):

3 (a) As used in this section: (1) "Owner" means the possessor of a fee  
4 interest, a tenant, occupant or person in control of the premises; (2)  
5 "harvesting" means the cutting and removal of designated standing  
6 trees, down trees, tree tops and other logging slash or debris suitable  
7 for use as firewood or the picking and removal of designated fruits or  
8 vegetables; (3) "charge" means the fee asked in return for a specified  
9 volume of firewood or a specified volume of fruits or vegetables and  
10 the right to harvest such firewood or such fruits or vegetables; and (4)  
11 "maple-sugaring" means the collection of sap from any species of tree  
12 in the genus Acer for the purpose of boiling to produce food.

13 (b) Any owner of land who invites or permits any person [(1)] to  
14 enter the land or a part thereof to (1) harvest firewood, with or without

15 charge, [or (2) to enter the land or a part thereof to] (2) harvest fruits or  
 16 vegetables, without charge, on behalf of a nonprofit organization or  
 17 nonprofit corporation for use by such nonprofit organization or  
 18 nonprofit corporation or for distribution to other nonprofit  
 19 organizations or nonprofit corporations, or (3) engage in maple-  
 20 sugaring activities shall not be liable for damages as a result of injury  
 21 to such person when such injury arises out of the use of the land or out  
 22 of the act of harvesting firewood, [or] harvesting fruits or vegetables,  
 23 or engaging in maple-sugaring activities, unless such injury is caused  
 24 by such owner's failure to warn of a dangerous hidden hazard actually  
 25 known to such owner.

26 (c) This section shall not apply to (1) an owner who sells more than  
 27 one hundred cords of firewood each calendar year, (2) an owner who  
 28 operates a "pick or cut your own agricultural operation" as defined in  
 29 section 52-568a, [or] (3) an owner who operates an agricultural  
 30 operation to which the public is invited and charged for produce  
 31 harvested and removed from the land, or (4) an owner who operates a  
 32 maple-sugaring operation to which the public is invited and charged  
 33 for products derived from the maple-sugaring operation.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2014	52-557k
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**Statement of Purpose:**

To provide immunity to a landowner who permits persons to engage in maple-sugaring activities without charge.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*